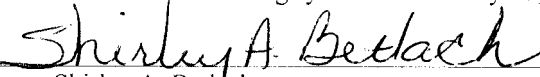


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8232
Serial No.:	10/825,964	Filed:	April 15, 2004
Examiner:	Fangemonique A. Smith	Group Art Unit:	3736
Docket No.:	1023-360US01	Customer No.:	28863
Title:	DETECTING SLEEP		

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on February 13, 2009.

By:


Name: Shirley A. Betlach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. Under 37 C.F.R. 1.97(e)(2), no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the under-signed, no item of information contained in this Supplemental Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this Supplemental Information Disclosure Statement

Applicant has enclosed copies of each article cited.


No fee is believed due. Please apply any deficiencies or credits to Deposit Account No. 50-1778.

Respectfully submitted,

Date:

2-13-09

Shumaker & Sieffert, P.A.
1625 Radio Drive, Suite 300
Woodbury, Minnesota 55125
Phone: (651) 286-8350
Fax: (651) 735-1102


By: Jason D. Kelly
Reg. No. 54,213